

## REMARKS

The March 9, 2006 Office Action regarding the above-identified application has been carefully considered; and the amendments above together with the remarks that follow are presented in a bona fide effort to respond thereto and address all issues raised in that Action. The pending set of claims has been amended to take allowable subject matter. Hence, it is believed that this case is in condition for allowance. Prompt favorable reconsideration of this amended application is requested.

Applicants note with appreciation the Examiner's allowance of claims 1-13 and indication that claims 15 and 16 would be allowable if recast in independent form.

The recitation of claim 15 has been moved up to independent claim 14 (and claim 15 has been cancelled). Hence, claim 14 now corresponds to patentable claim 15 recast in independent form as suggested by the Examiner. Claim 16 previously depended from claim 14, and claim 16 is amended above to depend from claim 15. Claims 14 and 16 therefore should be allowable as indicated in the Action.

Claims 17-21 depend from allowable claim 15 and should now be similarly patentable over the art.

Other rejected claims have been cancelled.

The claim amendments to take allowable subject matter, to make some rejected claims depend on an allowable claim and to cancel other rejected claims should render the various art rejections in the latest Action moot.

Upon entry of the above claim amendments, claims 1-14 and 16-21 remain active in this application, all of which should be in condition for allowance per the indication of allowable

**Application No.: 10/786,096**

subject matter. Accordingly, this case should now be ready to pass to issue; and Applicants respectfully request a prompt favorable reconsideration of this matter.

A Statement of Reasons for Allowance accompanied the March 9, 2006 Notice of Allowability regarding the above-identified application. Entry of that Statement into the record should not be construed as any agreement with or acquiescence by Applicants in the stated reasoning. The Statement asserts that the art does not show “an indirect lighting device including an optical cavity and a partially transmissive baffle positioned outside the cavity and between the cavity wall and the field of illumination.” Essentially, the Statement sets forth this exact same rational with respect to claim 1 and claim 15 (now independent claim 14). However, the wording of the Statement on the point does not precisely track the language of either claim 1 or claim 14 (formerly 15). For example, the independent claims refer to two or more fields of illumination, not just “the field of illumination” as in the Statement. The patentable language of the allowed claims and Applicants’ positions on patentability are already of record in this case. The Statement should not be viewed as suggesting any claim interpretation or estoppel with regard to any of the allowed claims, particularly to the extent if any that the Statement may differ from the proper claim construction or from Applicant’s positions on patentability. Hence, the allowed claims should be entitled to the broadest reasonable interpretation and to the broadest range of equivalents that are appropriate in light of the language of the claims, the supporting disclosure and Applicants’ prosecution of the claims, without reference to the Statement of Reasons for Allowance.

It is believed that this response addresses all issues raised in the March 9, 2006 Office Action. However, if any further issue should arise that may be addressed in an interview or by

**Application No.: 10/786,096**

an Examiner's amendment, it is requested that the Examiner telephone Applicants' representative at the number shown below.

To the extent necessary, if any, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Keith E. George  
Registration No. 34,111

**Please recognize our Customer No. 20277  
as our correspondence address.**

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8000 KEG:apr  
Facsimile: 202.756.8087  
**Date: July 9, 2006**